



PROBLEM-SOLVING COURTS PRACTICE GUIDELINES

Record Keeping

- I. All problem-solving court proceedings, including compliance hearings, should be recorded in accordance with Indiana Criminal Rule 5:

Crim. R. 5. Recording machines: transcripts

Every trial judge exercising criminal jurisdiction of this state shall arrange and provide for the electronic recording or stenographic reporting with computer-aided transcription capability of any and all oral evidence and testimony given in all cases and hearings, including both questions and answers, all rulings of the judge in respect to the admission and rejection of evidence and objections thereto, and any other oral matters occurring during the hearing in any proceeding. The recording device or the computer-aided transcription equipment shall be selected and approved by the court and may be placed under the supervision and operation of the official court reporter or such other person as may be designated by the court. The court may, in its discretion, eliminate shorthand or stenographic reporting of any recorded matter. When computer-aided transcription equipment is used to record oral matters in felony cases, a printed transcript shall be produced and maintained as a court record for fifty-five years. If a transcription of the recorded matters has not been prepared, certified and filed in the criminal proceeding, the electronic recording of all oral matters, together with a log denoting the individuals recorded and meter location of crucial events, or floppy disk and stenographic paper notes, shall be maintained as a court record for ten years in all misdemeanors or fifty-five years in all felony cases. The judge of the court in which the oral matters were recorded may direct the court reporter or any other responsible, competent person, in his discretion, to make a transcription of recorded oral matters and certify the accuracy of the transcription. Upon certification, the transcription of recorded oral matters shall have the same effect as if made from shorthand or stenographic notes.

- II. All problem-solving court activities including, orders to participate, compliance hearings and completion/termination information should be recorded in the chronological case summary (CCS) of each case in accordance with Indiana Trial Rule 77. Information included in the CCS should be limited to the extent possible to maintain participant confidentiality in accordance with all applicable federal and state laws.

T.R. 77. Court records (*select provisions only*)

(A) Required records. The clerk of the circuit court shall maintain the records for all circuit, superior, county, probate and municipal courts in the county.

- (1) The clerk of the circuit court shall maintain any record required by an act of the general assembly or a duly promulgated rule of any state agency, including the following:
- (a) Lis pendens record (IC 32-30-11-1);
 - (b) Record of transcripts and foreign judgments (IC 33-32-3-2(d));
 - (c) Judgment Docket (IC 33-32-3-2), wherein all orders requiring entry in the judgment docket shall include the term "judgment" in the title and shall set forth the specific dollar amount of the judgment in the body of the order;
 - (d) Execution docket (IC 33-32-3-2);
 - (e) Records specified under the probate code; and
 - (f) Records specified by the state board of accounts as to the fiscal matters relating to the court and clerk.
- (2) The clerk of the circuit court shall also maintain the following records as specified under this rule:
- (a) Chronological case summary;
 - (b) Case file;
 - (c) Record of judgments and orders (order book); and
 - (d) Indexes.

(B) Chronological case summary. For each case, the clerk of the circuit court shall maintain a sequential record of the judicial events in such proceeding. The record shall include the title of the proceeding; the assigned case number; the names, addresses, telephone and attorney numbers of all attorneys involved in the proceeding, or the fact that a party appears pro se with address and telephone number of the party so appearing; and the assessment of fees and charges (public receivables). Notation of judicial events shall set forth the date of the event and briefly define any documents, orders, rulings, or judgments filed or entered in the case. The chronological case summary shall also note the entry of orders, rulings and judgments in the record of judgments and orders, the entry of judgments in the judgment docket (IC 33-32-3-2), and file status (pending/decided) under section (G) of this rule. The chronological case summary shall be an official record of the trial court and shall be maintained apart from other records of the court and shall be organized by case number.